

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Lee Gill,

Petitioner,

v.

Bruce Rieser, Warden,

Defendant.

Civil No. 12-3081 (DSD/JJG)

**ORDER ON REPORT
AND RECOMMENDATION**

The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to the Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. The Report and Recommendation are **ADOPTED**;
2. Respondent Bruce Rieser's Motion to Dismiss (ECF No. 11) is **DENIED AS MOOT**.

Dated: August 28, 2013

s/David S. Doty
DAVID S. DOTY, Judge
United States District Court